

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL A. HAYDEN,

Plaintiff,

v.

JEFF KOONS and JEFF KOONS LLC,

Defendants.

21-CV-10249 (TMR)

**ORDER**

Timothy M. Reif, Judge, United States Court of International Trade:

Upon consideration of the court's Order (ECF No. 70) staying oral argument in the above-captioned case, of plaintiff's motion for summary judgment (ECF No. 53), and defendants' cross-motion for summary judgment (ECF No. 61), and of other papers and proceedings herein, it is hereby

**ORDERED** that parties submit supplemental briefing in light of the decision of the Supreme Court in *Andy Warhol Foundation for the Visual Arts, Inc. v. Goldsmith*, 598 U.S. \_\_ (2023);

**ORDERED** that parties submit a proposed briefing schedule by June 2, 2023;

**ORDERED** that the briefing schedule include the submission of supplemental memoranda of law limited to twenty (20) pages and replies limited to ten (10) pages.

Parties shall propose dates for parties' submissions in support of their cross-motions for summary judgment and replies thereto (ECF Nos. 53 and 61) in their proposed briefing schedule.

**ORDERED** that parties attach to the proposed briefing schedule a one (1)-page joint status letter to the court.

**SO ORDERED.**

Dated: May 23, 2023  
New York, New York

/s/ Timothy M. Reif  
Timothy M. Reif, Judge  
United States Court of International Trade  
*Sitting by Designation*  
United States District Court for the  
Southern District of New York